

Notice of Allowability

Application No.

09/802,296

Examiner

Charles N. Appiah

Applicant(s)

STRATMOEN ET AL

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to examiner's amendment filed on 06 September 2005.
2. ☒ The allowed claim(s) is/are 1,2,4-28, 47-68,71 and 72 which have been renumbered as 1-51 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/6/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bruce B. Brunda (Reg. No. 28,497) on 06 September 2005.

The application has been amended as follows:

Claim 29-46, 69 and 70 are cancelled.

2. Claims 1, 2, 4-28, 47-66, 67, 68, 71 and 72 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 68 the most relevant prior art of record such as Alameh et al. (6,348,897) discloses a multi-functional antenna system for a credit card-sized radio communication device, the radio communication device having components embedded within, including a transceiver, a man machine interface, a processor, and power supply, and a thin flexible sheet having an antenna embedded therewithin and being pivotally connected to the edge of the device, the sheet being pivotable substantially adjacent the edge in an unfolded position. Alameh fails to disclose wherein the sheet is pivotable substantially adjacent the edge to alternate between folded and unfolded positions and sized and configured to cover the man machine interface, and generally coplanar with the one device when in the folded position, and being generally angularly displaced from the device when in the unfolded position,

wherein the sheet is deployable to the unfolded position to facilitate to facilitate communication between the device and a single forward channel transmitter base station as specifically set forth in claims 1 and 68 and further argued by Applicants in the response filed on 25 July 2005.

With respect to claims 47 and 56, the prior art of record such as Alameh et al (6,348,897), Park (5,828,346) and Patel (5,315,636) fails to disclose or fairly suggest a credit card-sized wireless communications device in combination with a single high powered forward channel transmitter base station that comprises all the limitations as specifically set forth in claims 47 and 56.

With respect to claim 67, the most relevant prior art of record Alameh et al. (6,348,897) discloses a communications device comprising a flexible smart card having a length, width and thickness similar to the dimensions of a credit card, the card having components embedded within including a receiver, an antenna, a man machine interface, a processor and a power supply wherein the device communicates with a base station. Alameh fails to teach or fairly suggest wherein the antenna comprises a center-fed dipole antenna having a first L-shaped portion and a second L-shaped, each portion having a long and short leg, the first L-shaped portion, embedded on a thin flexible sheet having a length of about 9.6 cm and width of about 6.4 cm the sheet hinged to an edge of the smart card, such that the first L-shaped portion may be deployed by unfolding the sheet from the smart card, the short legs of the L-shaped portions configured in a parallel manner about hinged edge of the smart card and the sheet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles N. Appiah whose telephone number is 571 272-7904. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CA


CHARLES APPIAH
PRIMARY EXAMINER